

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

RICHARD PALMERO

Plaintiff,

vs.

PLAINTIFF'S INITIAL
DISCLOSURES PURSUANT
TO FRCP 26(a)(1)(A)(B)(C)

Docket No.: 07CV-11414(CM)(FM)

METRO-NORTH COMMUTER RAILROAD
Defendant.

THOMAS P. HURLEY
Law Offices of Kantor & Godwin, PLLC
Attorney for Plaintiff
5800 Main Street
Williamsville, N.Y. 14221
(716) 626-0404

JOSÉ R. RIOS
Attorney for Defendant
Metro-North Commuter Railroad
347 Madison Avenue
New York, NY 10017
(212) 340-2537

**PLAINTIFF'S INTIAL DISCLOSURES PURSUANT
TO FEDERAL RULE FRCP 26 (a)(1) (A)(B) & (C)**

NOW COMES Plaintiff, Richard Palmero, by and through his attorneys, the
Law Offices of Kantor & Godwin, PLLC, pursuant to FRCP 26 (a)(1) provides his
Initial Disclosures, and states as follows:

(A.) Witnesses:

1. Richard Palmero, 50 Winnebago, Yonkers, New York;
2. Charlie Brucculeri- Metro-North Commuter Railroad ("Metro-North")
employee – 15 Gold Road, Poughkeepsie, New York;
3. Kenny Jackson, Metro-North Commuter Railroad ("Metro-North") employee –
Claim Agent;
4. John K. Hickey, MD, Metro-North Commuter Railroad employee – Metro-
North Examiner;
5. Mike Tortoro, Operations Manager, Metro-North Commuter Railroad;
6. Unidentified Metro-North Commuter Railroad passengers;
7. Metropolitan Hospital Center, 1901 1st Ave., New York, NY, 10029;
8. Forme' Rehabilitation, 16/18 John R. Allanese, Eastchester, NY, 10709;

9. Lawrence Hospital Center; 55 Palmer Avenue, Bronxville, NY, 10708;
10. William Unis, M.D., 77 Pondfield Road, Bronxville, NY, 10708; and
11. Metro-North Medical Department, Lexington Avenue, New York, NY;
12. All witnesses listed by the Defendant;
13. All witnesses necessary to authenticate records;
14. All witnesses that have yet to be discovered;
15. All rebuttal witnesses as necessary.

(B.) Attached please find the following documents:

1. Medical records from William Unis, M.D.;
2. Medical records from Forme' Rehabilitation; and
3. Medical records from Lawrence Hospital Center; and.

(C.) Plaintiff in the process of compiling information and documents supporting his claim for damages, lost wages and fringe benefits. Due to his work-related injury sustained on April 28, 2005, the Plaintiff was unable to return to work. Additionally, the Plaintiff sustained severe bruising in both knees, torn Achilles heel in the left foot, back pain, strained ligaments, and required knee replacement in both knees.

At the time of the incident, Plaintiff had earned approximately \$70,000 through and including 4/28/05. Therefore, Plaintiff earned approximately \$ 1,520 per week. At the rate of pay Mr. Palmero was scheduled to earn in the year 2005, at the time of his accident, he has an approximate wage loss of \$18,000. In addition, Plaintiff was forced to endure and deal with the continuing pain and limited mobility for some time following the accident.

Plaintiff reserves the right to claim any and all damages allowable under the Federal Employers' Liability Act, 45 U.S.C., § 51 et. seq.

Dated: April 25, 2008
Williamsville, New York

/S/ THOMAS P. HURLEY
THOMAS P. HURLEY
Attorney for PLAINTIFF
5800 Main Street
Williamsville, New York 14221
(716) 626-0404

TO: JOSÉ R. RIOS
Attorney for Defendant
Metro-North Commuter Railroad
347 Madison Avenue
New York, NY 10017
(212) 340-2537

CERTIFICATE OF SERVICE

I hereby state that I have served Plaintiff's Initial Disclosures Pursuant to FRCP 26(a)(1)(A)(B)(C) (with attachments) upon all counsel of record this 25th day of April, 2008, via United States Postal Service, postage pre-paid.

/S/ CHERYL A. ROBINSON
Cheryl A. Robinson